

**Columbia Charter Township Zoning Board of Appeals**  
**October 10, 2024**  
**MINUTES**

Columbia Township Zoning Board of Appeals meeting called to order by Robin Tackett at 7:00 P.M.  
Present: Scott Rogers, Hollis Jeffreys, Diana Potts, Jerry Shay and secretary/Chairperson Robin Tackett.  
Absent: Jerry King.

Motion by Scott Rogers to approve the agenda as presented. Motion seconded by Diana Potts. Ayes: All.  
Agenda approved. No public comments unrelated to the agenda.

Minutes from 9/19/2024 Zoning board of appeals hearing. Motion by Hollis Jefferys to approve. Motion seconded by Diana Potts. Ayes: All. Meeting minutes approved.

First hearing of the evening, Jill Secord, 2701 Virginia Ct. Clarklake, MI 49234 (Tax ID #: 000-19-22-103-005-00) Request: Variance application to permit a 96-square foot front porch addition to the existing home. The proposed addition will have a 9-foot west front yard setback (25-foot front yard setback required, Article 3: Table 3-4).

Brittany Stein, Columbia Charter Township Zoning Administrator spoke at this time. Jill Secord, 2701 Virginia Ct., Clarklake MI 49234 Tax ID #: 000-19-22-103-005-00, RLS– Residential Lakefront Suburban Variance application to permit a 96-square foot front porch addition to the existing home. The proposed addition will have a 9-foot west front yard setback (25-foot front yard setback required, Article 3: Table 3-4). The subject property is approximately 3,180-square feet in size and fronts onto Virginia Ct. to the west and single family homes are located on properties surrounding the subject site. The site is improved with an existing 740- square foot single-story dwelling with a 135-square foot detached shed.

If approved, the variance request would permit a 96-square foot front porch addition to the existing home. The proposed addition will have a 9-foot west front yard setback (25-foot front yard setback required, Article 3: Table 3-4). The ZBA held a public hearing on September 19, 2024, for this same variance request. The applicant/property owner was not present at the hearing; however, the contractor represented them. The ZBA voted to table the decision until the applicant/property owner would be able to attend a later meeting.

Jill Secord applicant spoke at this time and presented her reasons on why she is requesting a variance at this time. Discussed her plan and reasons why a variance is necessary. She stated that she has more parking than anyone on her street so parking will not be an issue. The proposed plan offers her handicapped accessible access to her home and it will add to curb appeal and use of the existing home.

Hollis Jefferys asked the question if it is possible to change the request to make the proposed addition longer instead of wider needing less of a variance. Due to the topography of the property it would make it difficult to change the dimensions of the proposed structure. It would also cover more windows and it would not be aesthetically as pleasing.

At this time Brittany Stein spoke about the required number of parking spaces in Columbia Charter Township Ordinances. Must have two and stated what the ordinance states specifically. That the parking spots must meet the setback requirements as well.

No correspondence. No public comment. Board closed to public comment at this time. Board discussion.

Motion by Jerry Shay to approve as requested citing 16 B, 1, 5. No second motion dies.

Motion by Scott Rogers to approve as requested citing all standards, A & B.1-7. The motion was seconded by Diana Potts.

1. That there are practical difficulties that prevent carrying out the strict letter of this Ordinance due to the unique circumstances specific to the property such as its narrowness, shallowness, shape, or topography, that do not generally apply to other property or uses in the same district, and shall not be recurrent in nature. These difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.

2. That the practical difficulty or special condition or circumstance is not a result of the applicants actions.

3. That the variance will relate only to the property described in the variance application.

4. That the variance will be in harmony with the purpose of the Ordinance and the intent of the District, including the protection of public health, safety and welfare in general and vehicular and pedestrian circulation specifically.

5. That the variance will not cause substantial adverse effects upon surrounding property including property values and the development, use and enjoyment of property in the neighborhood or District.

6. That the strict compliance with the site development requirement in question would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.

7. That the variance request is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Roll call:, Scott:Yes,Jeffreys:No,Potts:Yes. Shay:Yes,Tackett:Yes. Variance approved as requested.

The second variance request : Jiem & Trudy Cranney Location: Vacant lot on Feller Dr. & North Dr. (Tax ID #: 000-20-29-490-003-00) Request: Variance application to permit a 26-foot by 22-foot (572-square foot) detached garage on a vacant parcel. The proposed garage will have an 8'4" north side yard setback, an 8'3" south side yard setback, a 19'3" east front yard setback, and a 19'3" west front yard setback. (25-foot front yard setback required, and 10-foot side yard setback required, Article 3: Table 3-4).

Brittany Stein, Columbia Charter Township Zoning Administrator spoke at this time. Jiem & Trudy Cranney, Vacant lot on Feller Dr. & North Dr. Brooklyn, MI 49230 TID#: 000-20-29-490-003-00,

RS – Residential Suburban, Variance application to permit a 26-foot by 22-foot (572-square foot) detached garage on a vacant parcel. The proposed garage will have an 8'4" north side yard setback, an 8'3" south side yard setback, a 19'3" east front yard setback, and a 19'3" west front yard setback. (25-foot front yard setback required, and 10-foot side yard setback required, Article 3: Table 3-4). The subject property is approximately 3,050-square feet in size and fronts onto Feller Drive to the west and North Drive to the east and vacant parcels are located to the north and south, with surrounding lots developed with single-family homes. The site is unimproved and currently vacant. The property owners also own a single-family dwelling at 41 Feller Drive. If approved, this variance would allow a 572-square foot garage to be constructed on a vacant parcel. The vacant parcel is within the RS (Residential Suburban) Zoning District. Section 20.8 (G) restricts developing an accessory building on a vacant parcel unless it is within the same RLS zoning district and directly across

the street from the owned dwelling, however in February 2024 there was an amendment to this section. The amendment allows for an accessory building to be constructed on a vacant lot across the street from a dwelling owned by the same property owner, while in another zoning district, as long as the township receives a legally binding and recorded deed restriction indicating that the two properties, if sold, shall remain together under common ownership.

Randy Baker, builder and representative of Jiem & Trudy Cranney. Would like to amend the variance request to change the variance application to permit a 26-foot by 22-foot (572-square foot) detached garage on a vacant parcel. The proposed garage will have an 8'4" north side yard setback, an 8'3" south side yard setback, a 19'3" change to 21'6 5/8" east front yard setback, and a 19'3" change to 21'6 5/8" west front yard setback. (25-foot front yard setback required, and 10-foot side yard setback required, Article 3: Table 3-4). The change was approved by Brittany Stein at this time. Discussed non-conforming dimensions of the lot and the unique challenges of trying to build on this lot.

One piece of correspondence. In favor of granting the variance. Board closed to public comment at this time. Board discussion.

Motion by Hollis Jefferys to approve the amended variance. Citing: 16.7, A & B.1-7. Motion seconded by Jerry Shay.

1. That there are practical difficulties that prevent carrying out the strict letter of this Ordinance due to the unique circumstances specific to the property such as its narrowness, shallowness, shape, or topography, that do not generally apply to other property or uses in the same district, and shall not be recurrent in nature. These difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.
2. That the practical difficulty or special condition or circumstance is not a result of the applicants actions.
3. That the variance will relate only to the property described in the variance application.
4. That the variance will be in harmony with the purpose of the Ordinance and the intent of the District, including the protection of public health, safety and welfare in general and vehicular and pedestrian circulation specifically.
5. That the variance will not cause substantial adverse effects upon surrounding property including property values and the development, use and enjoyment of property in the neighborhood or District.
6. That the strict compliance with the site development requirement in question would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.
7. That the variance request is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Roll call:, Scott:Yes,Jefferys:yes,Potts:Yes. Shay,Yes,Tackett:Yes. Variance approved as requested.

The third variance is John & Kristen Terech, Location: 656 Sandy Beach Dr. Clarklake, MI 49234 (Tax ID #: 000-19-20-201-009-00) Request: Variance application to permit a 690-square foot two-story addition to the existing single family dwelling. The proposed addition will have a 14-foot south front yard setback (25-foot front yard setback required, Article 3: Table 3-4).

Brittany Stein, Columbia Charter Township Zoning Administrator spoke at this time. John & Kristen Terech, 656 Sandy Beach Dr. Clarklake, MI 49234 TID#: 000-19-20-201-009-00,RLS – Residential Lakefront Suburban, the variance application to permit a 690-square foot two-story addition to the existing single-family dwelling. The proposed addition will have a 14-foot south front yard setback (25-foot front yard setback required, Article 3: Table 3-4). The subject property is approximately 7,928 square feet in size and fronts onto Sandy Beach Drive to the South and Clark Lake to the north and single-family homes are located to the east and west. The site is currently improved with a 780-square foot dwelling and a 640-square foot elevated deck, with no accessory buildings. If approved, the variance request would permit a 690-square foot two-story addition attached on the west side of the existing single-family dwelling. The proposed addition will have a 14-foot south front yard setback, 15-foot west side yard setback, 44-foot rear yard setback, and 51-foot setback from the water's edge of Clark Lake. The existing home is remaining with a 10-foot east side yard setback. The request is for an 11-foot variance to the south front property boundary line. Where a 25-foot front yard setback required from the south front lot line, per the Zoning Ordinance Article 3: Table 3-4. In 1974, a variance for a new home was approved, where the home would be 15 feet from the front property line. In 2018, a variance was approved for a new elevated rear deck on the waterside, to be 37 feet to the water's edge, and a front deck expansion to be 10-foot from the front lot line. The rear deck was constructed as requested & approved.

Hollis Jefferys asked the applicant will he be removing all the trees? The applicant stated they are going to do their best to save as many trees as possible.

John & Kristen Terech,656 Sandy Beach Dr. Clarklake, MI 49234 spoke at this time his reasons for requesting a variance. The variance application to permit a 690-square foot two-story addition to the existing single family dwelling. The proposed addition will have a 14-foot south front yard setback. Trying to make the best use of space on his property. The addition will not impede or negatively impact any of his neighbors. Parking is not an issue; they have plenty of space. They will be moving the front door if the addition is approved. Will not be building a front deck on the home.

No public comments. Board closed to public comment at this time. Board discussion.

Motion by Scott Rogers to approve variance as requested..Citing:16.7, A & B.1-7. Motion seconded by Diana Potts.

1. That there are practical difficulties that prevent carrying out the strict letter of this Ordinance due to the unique circumstances specific to the property such as its narrowness, shallowness, shape, or topography, that do not generally apply to other property or uses in the same district, and shall not be recurrent in nature. These difficulties shall not be deemed economic, but shall be evaluated in terms or the use of a particular parcel of land.
2. That the practical difficulty or special condition or circumstance is not a result of the applicants actions.
3. That the variance will relate only to the property described in the variance application.
4. That the variance will be in harmony with the purpose of the Ordinance and the intent of the District, including the protection of public health, safety and welfare in general and vehicular and pedestrian circulation specifically.
5. That the variance will not cause substantial adverse effects upon surrounding property including property values and the development, use and enjoyment of property in the neighborhood or District.

6. That the strict compliance with the site development requirement in question would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.

7. That the variance request is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the practical difficulty.

Roll call:, Scott:Yes,Jeffreys:Yes,Potts:Yes. Shay:Yes,Tackett:Yes. Variance approved as requested.

Minutes from 9/19/2024 Zoning board of appeals hearing. Motion by Hollis Jefferys to approve. Motion seconded by Diana Potts. Ayes: All. Meeting minutes approved.

No new or old business to discuss at this time. Columbia Charter Township Zoning Board of Appeals meeting adjourned at 8:31 PM.

Respectfully submitted,

Robin Tackett

Secretary Columbia Charter Township Zoning Board of Appeals